

REMARKS

Reconsideration and allowance are requested.

The attached substitute specification overcomes the objections on page 2 of the office action. Drawings changes reflect the changes made in the specification. The 35 U.S.C. 112 issues regarding claim 1 are moot because claim 1 has been canceled without prejudice (see above). Newly added claims 2, 3, and 4 are similar in scope to cancelled claim 1 and define the invention described in the specification and shown in Figures 1, 2, and 3.

No new matter has been added by the above amendments or by the present response.

Claims 2, 3 and 4 are patentable under 35 U.S.C. 102(b) over Novak et al. (U.S. Patent 6,390,759).

The claims of the present invention are not anticipated by Novak.

Applicant's invention comprises self-propelled vehicles for performing support or service work on airplanes comprising a vehicle 10 having a bottom 16, a set of wheels 20 movably disposed in a first position on the vehicle 10, a first distance between the bottom of the vehicle and a surface 14 on which the vehicle is supported, a second distance between the bottom 16 of the vehicle and the surface 14, the second distance formed by moving the set of wheels 20 to a second position 22 such that the vehicle is raised from the surface, wherein the second distance is substantially greater than the first distance.

Novak relates to a roll cart and not a self propelled vehicle. The cart has a pulling handle 800 (col. 5 line 1) for manual towing of the cart. The cart has wheels 320 which are pivotally arranged beneath a bottom of the cart. However the pivotal movement is for steering (cl. 5 lines 32 -34) - not for lowering. The wheels 320 (and wheels 330) cannot be raised or lowered.

Brake pad 470 is lowered - not the wheels (col. 7 lines 6 -12). The pedal 490 is acting on the brake pad and not the wheels (col. 7 lines 30 - 35). Nothing in Novak describes, teaches, or inherently provides the claimed features. Therefore NOVAK cannot anticipate the invention.

A prior art reference anticipates the subject of a claim only when the reference discloses every feature of the claimed invention, either explicitly or inherently (see Hazani v. Int'l Trade Comm'n, 126 F.3d 1473, 1477, 44 USPQ2d 1358, 1361 (Fed. Cir. 1997) and RCA Corp. v. Applied Digital Data Systems, Inc., 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir. 1984)).

Thus, since each and every limitation of Applicant's Claims 2, 3, and 4 are not disclosed in Novak, either expressly or through the principles of inherency, Claims 2, 3, and 4 are patentable under 35 U.S.C. § 102(b).

CONCLUSION

Reconsideration and allowance are respectfully requested.

Respectfully,



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